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Women's Representation and Gender Quotas: the Case of the Polish Parliament

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Abstract

Representation is inherent to democracy and truly representative institutions are vital for a good quality democracy. However, the argument that parliaments are not sufficiently representative because of female under-representation is widespread. A number of countries around the world have introduced gender quotas in order to enhance the descriptive representation of women. This paper analyses women's representation and the adoption of gender quotas in Poland. After several unsuccessful attempts, the law was finally approved in 2011. Veto players analysis is used to explain this policy change.

KEY WORDS:

Descriptive representation; gender quotas; Polish parliament; women's parliamentary representation; veto players.

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1. Introduction

Representation is an essential element of modern democracy and hence political institutions should be representative. However, the argument that democracies are not sufficiently representative is widespread. Women are largely excluded from political institutions.¹ Given the fact that women constitute over half of the population, political institutions do not reflect descriptive characteristics of the population. Parliamentary representation is a case in point. According to the Inter-Parliamentary Union women constitute 19.5% of members of all parliaments in the world.² For the European Union it is 24.7%, while for new EU member states from Eastern Europe it is 19.7%. Yet, the parliamentary representation of women shows substantial country-level variation in Europe: whereas Nordic countries have always set an example of gender equality with the proportion of women in national parliaments averaging 42%, other European countries have lagged behind including Ireland (15%), Romania (11%), Cyprus (10%), Hungary (9%) and Malta (8.7%).³

The low level of female representation raises concerns about the representativeness of parliaments. According to Phillips 'unrepresentative' institutions are unjust, lack legitimacy, disclose a democratic deficit and decrease the substantive representation of excluded groups.⁴ Consequently, greater descriptive representation is vital for improving the quality of democracy. The normative argument for a greater representation of women has been matched by a concern about how to implement it in practice: What can enhance women's representation? Several solutions have been proposed.⁵

The most common reform to increase the representation of women is gender quotas.⁶ There are different types of quotas: reserved seats, political party quotas, and legislative quotas.⁷ Quotas enacted through reforms of electoral laws, or sometimes

constitutions, are the most formalised and inclusive means of encouraging all political parties to include a certain proportion of female candidates. Legislative gender quotas became popular in developing countries, especially Latin America, and post-conflict societies, primarily in Africa and the Middle East.⁸ Initially, Europe was not at the forefront of such approaches, but in the second half of the 1990s and through the 2000s, several European countries adopted constitutional or legislative quota reforms.⁹ Legislative gender quotas are now present in Portugal, Spain, France, Belgium, and most recently in Ireland where the electoral act was amended in 2012 to include a 30% quota.¹⁰ In Eastern Europe, Slovenia and Poland adopted legislative quotas for elections to the national parliament in 2006¹¹ and in 2011 respectively. Whereas there is burgeoning literature on quotas in Western Europe, Eastern Europe has been under-researched in this respect.¹²

The case of Poland is particularly interesting. Not only has it undergone significant changes concerning women's representation, there were also four unsuccessful attempts to introduce legislative gender quotas in the 1990s and 2000s. Only the fifth attempt resulted in policy change when in January 2011, the law on gender quotas stipulating a 35% quota was passed in Parliament. Drawing from the literature on veto players, this paper examines the role of political actors: governing political parties and women's groups.¹³ This in-depth analysis of women's representation in Poland is based on primary and secondary data. Primary sources included interviews with officials, deputies and researchers dealing with women's issues, in addition to transcripts of parliamentary debates on gender quotas bills. Secondary sources included already published reports and the scholarly literature. The analysis of parliamentary representation and gender quotas is limited to the 460-seat lower chamber of parliament, the Sejm. The Polish Parliament is bicameral but the

quota system applies only to proportional elections, that is, the Sejm election, whereas the majoritarian system is used for the Senate elections.

This paper is an important contribution to the research on women's representation for two reasons. First, given the normative claims about the merits of representativeness as presented by Judge, attention should now focus on the practical question of enhancing descriptive representation.¹⁴ Since gender quotas are believed to enhance the descriptive representation of women, research should focus on the analysis of policy adoption, implementation and evaluation. Second, Eastern European countries are often excluded from the analysis of women's representation in Europe. Millard observed that the representation of women in parliaments dropped significantly after the regime change, but no systematic research was conducted with reference to most recent changes, such as the introduction of legislative quotas.¹⁵ The unique contribution of this paper is to show how the gender quota debate evolved over time in Poland and to set out the theoretical implications of this empirical analysis.

The remainder of this paper is divided into four sections. The first section presents an overview of the literature on women's representation and gender quotas. The second section presents an empirical analysis of women's descriptive representation and five attempts to introduce gender quotas in Poland. This is followed by an explanation of policy change. Finally, the concluding section summarises the findings.

2. Women's Representation and Gender Quotas

Representation is inherent to democracy and representative government has become the norm of contemporary democracies. According to Pitkin, representation denotes 'the making present *in some sense* of something which is nevertheless *not* present

literally or in fact.¹⁶ Birch, Judge and Mansbridge argue that there are different forms of representation but here I am specifically interested in descriptive representation concerning gender.¹⁷ According to Pitkin, descriptive representation means ‘standing for’ others.¹⁸ Mansbridge argues that it allows disadvantaged groups such as women and minorities to be represented by ‘descriptive representatives’ who ‘are in their own persons and lives in some sense typical of the larger class of persons whom they represent.’¹⁹ For Celis et al. descriptive representation denotes the resemblance of the characteristics of the representatives and the represented.²⁰ In quantitative terms, it is the number or percentage of the elected representatives of a given category as compared to the population.²¹ In respect of women’s parliamentary representation, it is the number or percentage of women in the parliament.

There is a burgeoning body of literature that seeks to explain the increase in women’s descriptive representation in parliament and the adoption of gender quotas in Western Europe.²² Gender quotas are formalised measures that aim to increase the number of women elected.²³ According to Krook, quota policies include: reserved seats, party quotas and legislative quotas. Reserved seats guarantee the election of women by creating separate electoral rolls for women, designating separate districts for female candidates, or distributing seats for women based on each party’s proportion of the vote; party quotas are set out by political parties in their own statutes; legislative quotas are enacted through reforms to electoral laws or constitutions.²⁴ However, the type of the electoral system can influence the effectiveness of gender quotas.²⁵ As early as the 1950s, Duverger highlighted the role of electoral systems in determining the number of women elected to parliaments.²⁶ The election of women is favoured by electoral systems with party list proportional representation and large district magnitudes. In such systems, a woman can be placed

further down on the party list and still be elected.²⁷ In contrast, majoritarian systems inhibit women's representation. Furthermore, political parties are crucial. The political ideology of a party is important because a leftist party promotes, to a greater extent, female representation.²⁸ According to Praud, left parties clearly pushed for quota reforms whereas their rivals on the right have resisted them.²⁹ Moreover, women's organisations and women's groups raise awareness about female under-representation.³⁰ Without the women's movement, the political women's groups, and especially their members within parliament, this issue would still not be regarded as important.³¹ Women's groups have been actively involved in the adoption of the parity and quota reforms.³² In addition, external influences can lead to the adoption of parity and quota reforms.³³ International organisations such as the UN, the EU and the Council of Europe emphasised the importance of gender equality. Finally, a 'critical mass' argument is sometimes used: when women's political presence constitutes at least 20-30%³⁴, substantive issues are also raised, like the introduction of gender quotas. Phillips' theory of the politics of presence suggests that female politicians are best equipped to represent women's interests; thus, the theory predicts a link between descriptive and substantive representation.³⁵ This link is, however, in constant debate.³⁶

In regard to women's representation in the new EU member states from Eastern Europe, women continue to be significantly under-represented. According to Matland, women face significant challenges, including overt discrimination and a patriarchal culture that sees politics as a primarily male domain.³⁷ Prior to the collapse of communism in 1989, the average level of women's representation in communist parliaments of Eastern Europe was 26%, significantly higher than the average of 12.5% across the European Union member states.³⁸ However, women's legislative

representation during communism was symbolic. Galligan and Clavero argue that the real power was wielded by the Communist Party's male-dominated Central Committee.³⁹ According to Fuszara, communism left the legacy of a façade-like role of gender equality, which excluded women from many spheres of life and, in particular, made it difficult for them to function on the labour market.⁴⁰ Saxonberg and Millard argue that after the regime change, women's representation in the parliaments of Eastern Europe has decreased.⁴¹ Montgomery shows that a decade after founding elections in the region, the average level of female representation (12%) has remained slightly below the world average (14%) and well below the Western European average (25%).⁴² Research on women's parliamentary representation in post-communist Europe has highlighted several factors that contributed to low descriptive representation: institutional factors, such as electoral systems; ideology and nomination procedures; and the absence of a feminist discourse and the lack of women's mobilisation in civil society.⁴³ Despite these advances in the scholarship on women's representation in Eastern Europe, the issue of gender quotas remains largely unexplored.

3. The Case of Poland

The descriptive representation of women in the Sejm

The adoption of gender quotas is presented against the backdrop of women's descriptive representation in the 460-seat lower chamber of parliament, the Sejm. Women's parliamentary representation has undergone significant changes over the past decades. Although there was a decline in the number of female deputies after the regime change, it does not mean that a communist Poland had a high percentage of female deputies.⁴⁴ The data provided by the Central Statistical Office show that in the

communist period of 1952-1989, the average female representation in the Sejm was only 15%. In the transition period of 1989-91, it declined slightly to 13.5%.⁴⁵ Table 1 shows women's representation in the Sejm in the period 1991-2011. The first free election to the Sejm in 1991⁴⁶ resulted in a very low female presence – there were only 44 women out of 460 deputies, which constituted only 9.6%. After the 1993 and 1997 elections, women's representation increased to 13% and 13.5% respectively. A significant rise to 20% occurred in 2001. This increase mainly resulted from the introduction of party quotas. Three parties, the Freedom Union, the Labour Union and the Democratic Left Alliance, introduced quotas of at least 30% of each gender on candidates' lists. That rule was made most formal by the Democratic Left Alliance (SLD), which introduced such a provision into its statutes, the effects of which were visible.⁴⁷ Women's presence remained stable at 20.4% in 2005 and 2007. Another turning point came with the 2011 election when women's representation reached the highest level ever of 24%, which ranked Poland as the second best among East European democracies, just after Slovenia with 32%.⁴⁸

[Table 1]

The analysis of female representation within individual political parties is equally important since political parties recruit candidates to be representatives. At the beginning of democratisation, political parties were unstable and the Polish party system was extremely fragmented and volatile. In the second decade, the party system became quasi-institutionalised.⁴⁹ The first decade of democratic politics was characterised by instability on the right of the political scene. When the Solidarity movement disintegrated, numerous parties were established that were short-lived. In the second decade, two centre-right parties, Civic Platform (PO) and the Law and Justice Party (PiS), became dominant. In contrast, on the left side of the political

spectrum, the Democratic Left Alliance (SLD) and the Polish Peasant Party (PSL) have been present since the regime change in 1989.

[Table 2]

Table 2 shows parliamentary parties, the number of women in each party, and the percentage. The analysis of female membership in individual political parties in the Sejm is revealing. Initially, the centre-left Democratic Left Alliance promoted women to positions in political institutions, while recently the liberal conservative Civic Platform became the leader in terms of women's representation. The Democratic Left Alliance has always had a comparatively higher presence of women than other parties over the past two decades, reaching from 15% in 1991 to the highest at 25.5% in 2001. However, in the most recent election of 2011, the percentage of women dropped to the lowest ever 14.8%. In comparison, the agrarian Polish Peasant Party has had consistently low women's representation ranging from none in 1997 and 2001 to 7.1% in 2011. In the 1990s, the liberal Freedom Union (UW) had a higher percentage of women than other parties. Conversely, the percentage of female deputies was generally lowest amongst right-wing and Catholic parties. The main party of the centre-right, the Solidarity Electoral Action (AWS), which was established in 1996 and won the 1997 election, had a very low presence of women that constituted only 10%. In 2001, surprisingly, a national conservative League of Polish Families had a high percentage of women, 26.3% but it declined to 14.7% in 2005. In the second decade of democratic politics, the two main centre-right parties have dominated the system. Civic Platform was formed in 2001 and has been in government since 2007, led by its leader Prime Minister Donald Tusk. The Law and Justice party is a conservative party formed in 2001 under the leadership of twin brothers Lech and Jarosław Kaczyński. Civic Platform and Law and Justice achieved

varied results in terms of women's representation. For Civic Platform women constituted 20% of representatives in 2001, 24.8% in 2005, 23% in 2007, and reached 34.8% in 2011. In contrast, for Law and Justice women constituted 13.6% in 2001, 18.7% in 2005, 20.5% in 2007, but decreased to 17.2% in 2011.

The Adoption of Gender Quotas

There were four failed attempts to introduce gender quotas in 1996, 1998, 2001 and 2002. The fifth attempt was successful, resulting in the 2011 law on gender quotas.

The first attempt to introduce the legislative quota was undertaken in the mid-1990s when a bill on gender equality was put forward in 1996⁵⁰. It was proposed by a group of female deputies that belonged to the all-party Parliamentary Women's Group. The bill included provisions for a legislative quota of 40%. It was designed to deal with the problems of inequality between men and women, to create mechanisms to prevent gender discrimination and to establish institutions that would safeguard gender equality. It was sent back for revisions several times. Having received the amended version, the Presidium of the Sejm decided to postpone its consideration because 'there were too many bills awaiting consideration.'⁵¹ According to Druciarek et al., the governing centre-left coalition of the Democratic Left Alliance and the Polish Peasant Party had other priorities.⁵² Yet, the first reading of the bill was in the end possible because a female deputy added it to the agenda in June 1997; it was, however, too late for the bill to be passed because the term of the Sejm ended in August 1997, before September parliamentary elections.

The second attempt was made in 1998, on the initiative of the Parliamentary Women's Group, when a bill on gender equality was proposed again.⁵³ The bill provided for a 40% quota in representative institutions, a definition of discrimination

and the establishment of the Office for Gender Equality. In justification of the bill, it was emphasised that, despite the fact that the 1997 Constitution provides for the equal rights of men and women, there is a need for further legislative regulations in the area of women's employment and education. The first reading, followed by a debate,⁵⁴ was held in March 1999. The debate revealed differences in the understanding of women's interests. Two main approaches to gender equality could be distinguished: national-Catholic type (AWS and ROP) and liberal type (Freedom Union and SLD). On the one hand, deputies of the right defended the conservative and traditional view of the role of women. The AWS deputy, Ewa Sikorska, said: 'women in Poland were always well treated, they were given proper respect and bestowed many honours. We talk proudly about the "Polish Mother" for stressing our contribution to family and political life. We are a Catholic nation where a woman has a special role to play.' Conversely, the opposition SLD criticised the existing patriarchal society, whose main feature is gender inequality. The SLD deputy, Danuta Waniek, as a reminder of the suffragist merits, said that the fight for gender equality was important and she welcomed the bill. A Freedom Union deputy, Iwona Śledzińska-Karasińska, also expressed her support for the bill. However, despite the fact that most deputies of the Democratic Left Alliance and most deputies from a junior coalition partner Freedom Union supported the bill, the governing Solidarity Electoral Action, voted against it, in addition to some deputies from the Polish Peasant Party and minor right-wing parties.⁵⁵ Consequently, the bill was rejected.

The third attempt was made in early 2001. Olga Krzyżanowska, a Freedom Union deputy, proposed to include the quota system provision in the electoral law that was being revised before the 2001 elections. The quota in her proposal was for a minimum 30% of men and women to be present on the candidates' lists. That

proposal was rejected with practically no debate in the Sejm.⁵⁶ This was not surprising since the minority Solidarity Electoral Action government did not support it, as the previous attempt also illustrated.

The fourth attempt to adopt the gender quota policy was made in April 2002 when representatives of the Parliamentary Women's Group submitted a new bill on gender equality to the Speaker of the Senate⁵⁷. The bill provided for the definition of discrimination based on gender, prohibition of direct and indirect discrimination, the establishment of the Office for Gender Equality and, finally, a gradual increase of the quota in representative institutions: from the date of the enforcement of this bill until the end of 2003 it would be 30%, and from 1 January 2004 it would be 40%. Moreover, Article 7 provided for alternating women and men throughout party lists. The Senate accepted it and sent it to the Sejm for deliberation. In June 2003, the first reading of the bill took place.⁵⁸ The SLD Senator, Andrzej Jaeschke, presented the bill. He argued that it was necessary to adopt measures that would complement Articles 32 and 33 of the 1997 Constitution about equal rights of women and men. Law and Justice and Civic Platform criticised the bill, specifically the establishment of the Office for Gender Equality, because it would incur financial expenses. A former SLD coalition partner, the Polish Peasant Party, was formally against discrimination but did not support gender equality, an opinion presented by the PSL deputy, Franciszek Stefaniuk. However, the rightist League of Polish Families expressed the most conservative views and was against the bill. Its female deputy, Urszula Krupa, said: 'the parity system limits our freedom and leads to slavery, which can cause disorders, mental distress and the degradation of the human being. The League of Polish Families supports only one parity – 50% parity of men and women in a sacred marriage.' The Democratic Left Alliance, the Labour Union and several

deputies from PSL, Self-defence and independents, supported further legislative proceedings in the Sejm committees. After a protracted legislative process, that is, two years after the first reading, the Sejm rejected the Senate bill on gender equality in June 2005. Only SLD and the Labour Union supported the bill, but the minority SLD government did not have the majority required to ensure passage of the bill.⁵⁹

The fifth attempt, initiated in 2009, was finally successful. In June of that year an extra-parliamentary Congress of Polish Women gathered in Warsaw. It was a meeting of some 4,000 women from all around the country who discussed women's issues including gender quotas and the idea of using the 'zipper system' of alternating women and men throughout the party lists. As a result, a civic committee of legislative initiative called 'Time for Women' was established. The aim was to submit a legislative proposal on gender parity, which would provide for 50% representation of women on party lists to the Sejm (but no provision for a 'zipper system'), and include the sanction of not registering the list if the provision was not implemented.⁶⁰ The petition was signed by 156,000 citizens.⁶¹ The citizens' bill was submitted to the Sejm in January 2010.⁶² In justification of the bill, the need for institutional provisions to increase the number of women in politics was emphasised.

Although the initial proposal was for a 50% quota, during the debate in February 2010, Agnieszka Kozłowska-Rajewicz, a female deputy from Civic Platform, suggested a 30% quota. She argued that, 'having examined the past female presence and the number of women on the lists, it was impossible to have so many female candidates, and therefore a more pragmatic and gradual approach was required.'⁶³ However, she also said that 'placing women in the winning seats would really make a difference.'⁶⁴ She emphasised that Civic Platform used similar solutions where there should be at least one woman in the first three places. A PSL deputy said

that he supported a quota system but was not sure about the parity. An SLD female deputy expressed her delight at this bill and said that her party would support it. In contrast, the Law and Justice deputy, Anna Sobecka, criticised the bill by saying that ‘the imposition of any quota means demeaning of women... Most women want to realize themselves as wives and mothers.’⁶⁵ The subsequent discussion regarding gender quotas took place at the sitting of the Special Committee in July 2010.⁶⁶ The Sejm committee rejected the idea of parity. The PO deputy, Agnieszka Kozłowska-Rajewicz, suggested increasing the quota from 30% to 35%, that is, on the candidates’ lists there could not be fewer than 35% of women and fewer than 35% of men. The amendment was eventually approved by the Sejm, but deputies rejected an amendment which stipulated that, in the first three places, there must be at least one woman. The voting on the bill took place in December 2010. Most deputies from the coalition government of Civic Platform and the Polish Peasant Party supported the bill, in addition to the Democratic Left Alliance, while the Law and Justice Party voted against it.⁶⁷

The Act of 5 January 2011 amended existing electoral laws and its main provisions also became part of a new electoral law of 5 January 2011 (Article 211).⁶⁸ The law stipulates that at least 35% of all candidates on the lists of all parties running for seats in the Sejm must be women and 35% must be men. The quota system applies only to proportional elections, that is, the Sejm election, the European Parliament election and the municipal and county council election. It is not applicable to the Senate election and municipal councils of a maximum of 20,000 citizens, where the majoritarian electoral law is used.

4. Explanations

How can we explain the adoption of gender quotas in Poland? I will argue that the support of extra-parliamentary women's association and governing political parties played an important role in policy change. Since this paper seeks to explain policy outputs, I will use policy analysis specifically paying attention to policy change. According to Parsons, policy analysis helps understand 'how issues and problems come to be defined and constructed and how they are placed on the political and policy agenda.'⁶⁹ Heidenheimer et al argue that policy analysis will also point to 'how, why and to what effect governments pursue particular courses of action and inaction.'⁷⁰ The focus here is on policy change which is the dependent variable of this study.

Policy change is explained with the help of Tsebelis' veto players analysis. A scholarly reason for using this approach is that it provides an explicit and systematic methodology for studying preferences of political actors involved in policy-making. According to Tsebelis, 'in order to change policies, a certain number of individuals or collective actors have to agree to the proposed change.'⁷¹ Such actors are called veto players. A veto player can veto legislation unilaterally. Veto players analysis stipulates that, first, increasing the ideological distance of two veto players increases policy stability regardless of the position of the status quo.⁷² If policy preferences of different actors are incongruent, it is more difficult to introduce policy change. Second, the addition of a new veto player increases policy stability.⁷³ Tsebelis pays attention to a specific role being given to an agenda setter. 'Agenda setters present take it or leave it proposals to the other veto players. In a parliamentary system agenda setting is done by the government. In a presidential system agenda setting is done by the legislature.'⁷⁴ However, Tsebelis does not include non-governmental agenda setters and this is exactly what this analysis will rectify. In general, an agenda

setter defines the problem and generates awareness for an issue.⁷⁵ The definition of agenda setter used here is broader to include all actors who have a constitutional power to propose legislation.

This paper examines the adoption of gender quotas by examining the role of veto players. For the two stages of the policy process, policy proposal and policy adoption, which are examined here, agenda setters and partisan veto players are central. Key partisan veto players are parties in government. For the purpose of this analysis, the following hypothesis is proposed: *Veto players must agree for any policy change concerning gender quotas.*

The Polish case shows that although the agenda setters put forward bills, initially partisan veto players did not support the quota policy. Starting from the 1990s, women's groups generated awareness for an issue of female under-representation and gender inequality, as illustrated by the activities of the Women's Parliamentary Group. However, they were not very successful, mainly because there was a strong opposition of the governing parties (key partisan veto players): national-Catholic Solidarity Electoral Action in 1998 and 2001, but also the Democratic Left Alliance in 1996 and in 2002. In 2010, the women's movement – the Congress of Polish Women - proposed a parity bill. The Congress of Women, an extra-parliamentary women's umbrella organisation, was established in June 2009 when the first women's congress was organised in Warsaw. It was a spontaneous event that gathered not only various kinds of women's movements and organizations, but also many women that had never been affiliated.⁷⁶ Currently, the Congress of Women is an association (formally established in January 2010) and its statute stipulates 'We act for equal treatment of men and women. Our aim is to increase women's activity and participation in public life, and especially in politics. We want to provide women with

the knowledge and skills that will help them to achieve their goal.⁷⁷ In order to promote its ideas and further its objectives, an annual congress is organised in Warsaw. The Congress of Women is currently the strongest and largest women's group in Poland. It was established by several well-known women from politics, academia and the private sector, but then joined by individuals, women's organisations, and representatives of different walks of life to become women's umbrella organisation.⁷⁸

There is no denying that the Congress of Women, who was an agenda setter, had a vital impact on the gender quotas reform. In fact, several interviewees pointed to its importance. One of them said: 'the Congress of Women organized women to assume a more active role in promoting gender quotas.'⁷⁹ Consequently, a lot of women across Poland became involved and the Congress attracted mainstream media attention.⁸⁰ The bill on gender quotas was the result of the proposal of the Congress of Women who demanded parity and submitted a citizens' legislative initiative in the Sejm, thereby exerting political pressure.⁸¹ During the signature collection, members of the Congress of Women lobbied for gender parity among politicians. They met with the President, Prime Minister Tusk, leaders of all parliamentary groups and all political parties, the Speakers of the Sejm and Senate, and the convenors of legislative committees in both chambers of parliament.⁸² The citizens' bill was actually presented in the parliament by an active member of the Congress of Women. The Congress was an important partner for talks with parties and the government.⁸³

Several interviewees also emphasised the role of political parties. There is no denying that the number of women in politics depends on political parties.⁸⁴ An SLD female deputy said that 'the impossible can become possible thanks to a political will.'⁸⁵ But initially there was no political will. In the beginning, partisan veto players

did not approve of quota bills. Political parties in government opposed the introduction of any regulation of this kind. In the period 1997-2001, when the centre-right government led by the Solidarity Electoral Action was in power, the conservative discourse dominated. In 2001, the Democratic Left Alliance won elections. For Prime Minister Leszek Miller, 'the support of gender quotas meant that he was against the Church, which was problematic because he wanted the support of the Church for the EU referendum in 2003.'⁸⁶ SLD was not so liberal and local SLD branches were not progressive.⁸⁷ After EU accession, SLD began to support the bill but since it lost its majority in parliament, it could not pass the legislation in 2005. The domination of right-wing and populist parties in the Sejm made it difficult to pass the act on gender equality and gender quotas in the early 2000s.⁸⁸ There was strong opposition by parties of the right to the idea of gender parity for party candidates' lists.⁸⁹ Conversely, when the Civic Platform-led government came to power in 2007, things slowly started to change. The support of Prime Minister Tusk was particularly important.⁹⁰ In an interview, Prime Minister Tusk confirmed that he supported gender quotas.⁹¹ One of the interviewees said: 'The Prime Minister played a significant role in promoting this idea among party members.'⁹² Civic Platform includes both conservative and liberal elements, but it seemed that this time the liberal element was dominant. Most Civic Platform deputies supported the bill on gender quotas. In fact, Civic Platform demanded from its members voting discipline when voting on the bill. Ten deputies who broke the party ranks were fined.⁹³

In summary, the support of the extra-parliamentary women's association as the agenda setter and governing political parties as key partisan veto players played an important role in the adoption of gender quotas in Poland. The law was passed

because of strong pressure exerted by the Congress of Women and the support of governing political parties.⁹⁴

5. Concluding Discussion

This paper has examined women's parliamentary representation and the adoption of gender quotas in Poland. Veto players analysis has been used to explain policy change in 2011. The Congress of Women, which was an agenda-setter, proved a vocal and successful advocate of gender quotas. Key partisan veto players, Civic Platform and the Polish Peasant Party who were governing parties, supported the bill. Consequently, gender quotas became law in 2011. In contrast, policy inertia, in the 1990s and early 2000s, can be explained by a unilateral veto by partisan veto players.

What are the theoretical implications of the empirical analysis? First, the influence of women's groups varied. While the attempts by the Parliamentary Women's Group were unsuccessful, the extra-parliamentary Congress of Women headed by distinguished women was successful. This might be because partisan interests were more important than female interests for most female deputies in the Sejm whereas there was no partisan constraint for the Congress of Women which was a non-partisan extraparlimentary organisation. Second, a traditional 'critical mass' argument, that when women's political representation constitutes at least 20-30%⁹⁵ women-friendly policies follow, is not sustained here. Legislative quotas were adopted in Poland in the absence of a critical mass in parliament. It seems that women from outside parliament constituted a critical mass that was able to put the reform on the parliamentary agenda. This is something that the literature overlooks. Moreover, there is evidence for the role of critical actors. According to Krook and Childs and Celis et al., critical actors are individuals who initiate policy proposals or who

encourage others to take steps to promote policies for women, even when women form a small minority.⁹⁶ The Polish case demonstrates the importance of critical actors such as the main activists of the Congress of Women who mobilised the public and political elite. Third, political parties are vital for women's representation. The Polish case shows that the support of governing political parties, including the Prime Minister, is vital for policy adoption. However, it disproves the previous finding that centre-left parties are more supportive of gender quotas. In the Polish case, centre-right Civic Platform was the main party behind the adoption of gender quotas.

To sum up, this paper has argued that governing political parties and the Congress of Women played a key role in the adoption of gender quotas in Poland. There is no denying that the support of political parties and women's activism made a difference. It remains to be seen whether gender quotas will be a successful tool in enhancing women's representation in the Polish Parliament in the long run; therefore, further research should focus on policy implementation and evaluation.

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List of interviews:

- Interview 1. Interview with a researcher at the Institute of Public Affairs, Warsaw, 9 May 2012.
- Interview 2. Interview with an official from the Chancellery of the Prime Minister, Warsaw, 4 June 2013.
- Interview 3. Interview with a researcher at the Anti-discrimination Education Association, Warsaw, 10 June 2013.
- Interview 4. Interview with a female deputy from Civic Platform, Warsaw, 19 June 2013.
- Interview 5. Interview with an academic from the University of Warsaw, 23 June 2013.

Notes

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- ¹ See Dahlerup, *Women, Quotas and Politics*; Duverger, *The Political Role of Women*; Krook and Childs, *Women, gender and politics*; Lovenduski, *Feminizing politics*; Mansbridge, *Should Blacks Represent Blacks*; Phillips, *The Politics Of Presence*.
- ² Data is given for lower or single houses of parliament. Inter-Parliamentary Union, *Women in National Parliaments*.
- ³ Ibid.
- ⁴ Phillips, *The Politics of Presence*.
- ⁵ Wängnerud, *Women in Parliaments*; European Commission, *Report on Equality*.
- ⁶ Dahlerup, *Women, Quotas and Politics*; Krook, *Quotas for Women in Politics*.
- ⁷ Krook, *Quotas for Women in Politics*.
- ⁸ Ibid.
- ⁹ European Parliament, *Electoral gender quota systems*.
- ¹⁰ IDEA, Stockholm University and Inter-Parliamentary Union, *Global Database*.
- ¹¹ In Slovenia, gender quotas were introduced for the European Parliament elections in 2004, and in 2005 for local elections.
- ¹² For Western Europe see Krook, *Quotas for Women in Politics*; Praud, "Gender Parity"; Verge, "Institutionalising Gender Equality."
- ¹³ Tsebelis, *Veto players*.
- ¹⁴ See Judge, *Representation*.
- ¹⁵ Millard, *Elections, Parties and Representation*.
- ¹⁶ Pitkin, *The Concept of Representation*, 8.
- ¹⁷ Birch, *Representation*; Judge, *Representation*; Mansbridge, "Rethinking representation."
- ¹⁸ Pitkin, *The Concept of Representation*, 8.
- ¹⁹ Mansbridge, "Should Blacks Represent Blacks," 629.
- ²⁰ Celis, Childs, Kantola and Krook, "Rethinking Women's Substantive Representation."
- ²¹ Dahlerup, *Women, Quotas and Politics*.
- ²² See Praud, "Gender Parity"; Wängnerud, *Women in Parliaments*.
- ²³ Wängnerud, *Women in Parliaments*.
- ²⁴ Krook, *Quotas for Women in Politics*.
- ²⁵ Norris, *The impact of electoral reform*; European Parliament, *Electoral gender quota systems*.
- ²⁶ Duverger, *The Political Role of Women*.
- ²⁷ Lijphart, *Patterns of democracy*; Norris, *Electoral Engineering*; Gallagher and Mitchell, *The politics of electoral systems*.
- ²⁸ Saxonberg, "Women in East European Parliaments."
- ²⁹ Praud, "Gender Parity."
- ³⁰ Weldon, "Beyond bodies"; Celis, "Substantive representation of women"; Meier, "From Laggard to Leader."
- ³¹ Meier, "From Laggard to Leader."
- ³² Praud, "Gender Parity."
- ³³ Ibid.
- ³⁴ Reingold, *Women as Office Holders*.
- ³⁵ Wängnerud, *Women in Parliaments*.
- ³⁶ Celis, Childs, Kantola and Krook, "Rethinking Women's Substantive Representation."
- ³⁷ Matland, "Women's representation in post-communist Europe."
- ³⁸ Inter-Parliamentary Union, *Men and women in politics*.
- ³⁹ Galligan and Clavero, "Prospects for Women's Legislative Representation."
- ⁴⁰ Fuszara, "Participation of women in public life."
- ⁴¹ Saxonberg, "Women in East European Parliaments;" Millard, *Elections, Parties and Representation*.
- ⁴² Montgomery, "Introduction."
- ⁴³ Matland, "Women's representation in post-communist Europe;" Montgomery, "Introduction.;" Saxonberg, "Women in East European Parliaments;" Galligan and Clavero, "Prospects for Women's Legislative Representation."
- ⁴⁴ Fuszara, *Kobiety w polityce*.
- ⁴⁵ GUS, *Rocznik Statystyczny 1994*.
- ⁴⁶ Following the Round Table agreement between the Communist party and the Solidarity party, the elections of 1989 were freely contested for a re-established Senate, but semi-free for the Sejm where 65% of seats were reserved for the Communists.

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- ⁴⁷ Siemieńska, "Women in the Polish Sejm"; Fuszara, "Participation of women in public life."
- ⁴⁸ Inter-Parliamentary Union, *Women in National Parliaments*; Sejm, *Sejm Rzeczypospolitej Polskiej*.
- ⁴⁹ Gwiazda, "Poland's Quasi-Institutionalised Party System."
- ⁵⁰ Bill no. 2217, 6 February 1997.
- ⁵¹ Druciarek, Fuszara, Niżyńska and Zbieranek, *Kobiety na polskiej scenie politycznej*.
- ⁵² Ibid.
- ⁵³ Bill no 569, 5 June 1998.
- ⁵⁴ 45th Sitting of the Sejm, 4 March 1999.
- ⁵⁵ 408 deputies voted. 212 deputies voted to reject the bill, 177 voted against, inter alia, 141 deputies from SLD, 26 deputies from UW, 7 from PSL, 1 independent and 2 from AWS.
- ⁵⁶ Fuszara, "Participation of women in public life;" Druciarek, Fuszara, Niżyńska and Zbieranek, *Kobiety na polskiej scenie politycznej*.
- ⁵⁷ Bill no 1313, 20 January 2003.
- ⁵⁸ 50th Sitting of the Sejm, 12 June 2003.
- ⁵⁹ Roll call no 84, 17 June 2005.
- ⁶⁰ Druciarek, Fuszara, Niżyńska and Zbieranek, *Kobiety na polskiej scenie politycznej*.
- ⁶¹ Żukowski, *Partycypacja wyborcza kobiet*.
- ⁶² Bill no 2713, 20 January 2010.
- ⁶³ 61st Sitting of the Sejm, 18 February 2010.
- ⁶⁴ 61st Sitting of the Sejm, 18 February 2010.
- ⁶⁵ 61st Sitting of the Sejm, 18 February 2010.
- ⁶⁶ Bulletin no 3973/VI, 8 July 2010.
- ⁶⁷ Roll call no 125, 3 December 2010.
- ⁶⁸ Journal of Laws 2011, No. 34, item 172; Journal of Laws 2011, No 21, item 112.
- ⁶⁹ Parsons, *Public Policy*, xv.
- ⁷⁰ Heidenheimer, Hecllo and Adams, *Comparative Public Policy*.
- ⁷¹ Tsebelis, *Veto players*, 3.
- ⁷² Ibid.
- ⁷³ Ibid.
- ⁷⁴ Ibid, 3.
- ⁷⁵ Parsons, *Public Policy*; Knill and Tossun, *Public Policy*.
- ⁷⁶ Congress of Women, *Kongres Kobiet*.
- ⁷⁷ Ibid.
- ⁷⁸ Interview 4.
- ⁷⁹ Interview 5.
- ⁸⁰ Interview 3.
- ⁸¹ Interview 2.
- ⁸² Fuszara, "Case Study: Poland."
- ⁸³ Interview 4.
- ⁸⁴ Interview 1.
- ⁸⁵ 61st Sitting of the Sejm, 18 February 2010.
- ⁸⁶ Interview 1.
- ⁸⁷ Interview 1.
- ⁸⁸ Siemieńska, *Women's representation*.
- ⁸⁹ Żukowski, *Partycypacja wyborcza kobiet*.
- ⁹⁰ Interview 2.
- ⁹¹ Grochal, "Tracę zaszczyt, żyrandol, Pałac i weto."
- ⁹² Interview 1.
- ⁹³ Fuszara, "Case Study: Poland"; Interview 4.
- ⁹⁴ Interview 4.
- ⁹⁵ See Reingold, *Women as Office Holders*.
- ⁹⁶ Krook and Childs Krook, *Women, gender and politics*; Celis, Childs, Kantola and Krook, "Substantive representation of women."

Table 1: Women's representation in the Sejm

Terms Women	1 st term: 1991-3	2 nd term: 1993-7	3 rd term: 1997- 2001	4 th term: 2001-5	5 th term: 2005-7	6 th term: 2007-11	7 th term: From Nov. 2011
Out of 460	44	60	62	93	94	94	110
Percentage	9.6%	13%	13.5%	20.2%	20.4%	20.4%	24%

Source: Sejm 2010; Sejm 2012

Table 2: Number of deputies in political clubs including women (in brackets) and the percentage of women

Terms Parties*	1 st term: 1991-3	2 nd term: 1993-7	3 rd term: 1997- 2001	4 th term: 2001-5	5 th term: 2005-7	6 th term: 2007- 11	7 th term: From Nov. 2011
SLD	59(9)	171(28)	164(31)	216(55)**	55(11)	53(11)	27(4)
	15.3%	16.4%	18.9%	25.5%	20%	20.8%	14.8%
PSL	50(1)	132(8)	27(0)	42(0)	25(1)	31(1)	28(2)
	2%	6.1%	0	0	4%	3.2%	7.1%
BBWR	-	16(0)					
KPN	51(8)	22(1)					
	15.7%	4.6%					
MN	7(0)	4(0)	2(0)	2(0)	2(0)	1(0)	1(0)
UD/UW	62(12)	74(16)	60(10)				
	28.5%	21.6%	16.7%				
UP	5(0)	41(7)					
	0	17.1%					
WAK/ZChN	49(6)						
	12.2%						
PC	42(1)						
	2.4%						
KLD	37(0)						
PSL-PL	28(1)						
	3.5%						
Solidarność	27(3)						
	11%						
PPG-PPPP	13(0)						
PPPP	3(0)						
PChD	5(1)						
	20%						
ChD	5(0)						
Party X	3(0)						
UPR	3(0)						
AWS			201(20)				
			10%				
ROP			4(0)				
LPR				38(10)	34(5)		
				26.3%	14.7%		
PiS				44(6)	155(29)	166(34)	157(27)
				13.6%	18.7%	20.5%	17.2%
PO				65(13)	133(33)	209(48)	207(72)
				20%	24.8%	23%	34.8%
Selfdefence				53(9)	56(15)		
				17%	24.8%		

Palikot Movement							40(5)
							12.5%
Independent	11 (2)		1(1)	0(0)	0(0)	(0)	(0)
	18%		100%				
Total	460(44)	460(60)	460(62)	460(93)	460(94)	460(94)	460(110)
	9.6%	13%	13.5%	20.2%	20.4%	20.4%	24%

Source: Sejm 2010; Sejm 2012

* SLD - Democratic Left Alliance; PSL – Polish Peasant Party; BBWR - Non-Party Bloc for the Support of Reforms; KPN - Confederation of Independent Poland; MN, German Minority; UD/UW – Democratic Union/Freedom Union; UP - Labour Union; WAK/ZChN, Electoral Catholic Action/Christian-National Union; PC - Centre Alliance; KLD - Liberal Democratic Congress; PSL-PL - Polish Peasant Party – Peasant Agreement; Solidarność – Solidarity; PPG-PPPP Polish Economic Programme - Polish Party of Beer Lovers; PPPP - Polish Party of Beer Lovers; PChD - Party of Christian Democrats; ChD Christian Democracy; UPR Union of Real Politics; AWS - Solidarity Electoral Action; LPR - League of Polish Families, PiS - Law and Justice; PO - Civic Platform.

**SLD and UP formed an electoral coalition for the 2001 elections (SLD had 200 deputies while UP 16).